

DRAFT

CRIMINAL JUSTICE SERVICES BOARD COMMITTEE ON TRAINING

MINUTES

September 26, 2002

A meeting of the Criminal Justice Services Board Committee on Training (COT) convened at 9:00 a.m. on Thursday, September 26, 2002, in House Room D of the General Assembly Building, in Richmond, Virginia.

Members Present:

Sheriff Beth Arthur
Ms. Linda D. Curtis
Mr. Gerald P. Eggleston (*Proxy for Ronald Angelone, Director, Department of Corrections*)
Chief Atlas L. Gaskins
Mr. Frederick A. Hodnett, Jr. (*Proxy for Robert N. Baldwin, Executive Secretary, Supreme Court of Virginia*)
Sheriff Robert E. Maxey, Jr., Chairman
Dr. Jay W. Malcan
Captain Ken Paul (*Proxy for Lt. Colonel W. Gerald Massengill, Superintendent, Virginia State Police*)
Ms. Mary Kay Wakefield, Vice-Chairman
Mr. Christopher R. Webb

Members Not Present:

Mr. Thomas W. Fore, Sr.
Chief Dennis Mook
Colonel Andre Parker

DCJS Staff Present:

Leon Baker
Ron Bessent
Donna Bollander
Colette Brown
Leonard Cooke

George B. Gotschalk, Jr.
Judy Kirkendall
Bobby Mathieson
Thomas E. Nowlin

Others Present:

Patrick Harris, *Virginia Crime Prevention Association*

George Haudricourt, *ADT Security Systems*

Richard L. Schumaker, *Cardinal Criminal Justice Academy*

Call To Order:

Chairman Maxey called the meeting to order. He then introduced three new members of the Criminal Justice Services Board who have been appointed to serve on the Committee on Training: The Honorable Beth Arthur, Sheriff for the County of Arlington; Dr. Jay W. Malcan, Head of the Division of Social Sciences at Virginia Union University; and Mr. Christopher R. Webb, Director of the Blue Ridge Regional Jail Authority in Lynchburg.

The roll was called, and a count of ten (10) members was present, which indicated a quorum. The Chairman asked if there were any questions or comments regarding the minutes of the last meeting. Hearing none, he asked for a motion to approve the minutes as written. A motion was made and seconded, and the minutes were approved.

Old Business:

Homeland Defense Training

Chairman Maxey mentioned that the Department has been working on training for Homeland Defense Officers and Homeland Defense Coordinators and asked George Gotschalk to give an update on these training initiatives. Mr. Gotschalk noted that the staff has printed and distributed over ninety thousand (90,000) cards relating to bio-chemical terrorism and anthrax for law enforcement officers, jailors, courtroom security officers, civil process servers, dispatchers, and correctional officers. The remaining cards will be sent to the academies to hand out to new recruits. He also informed the members that after distributing the cards the Department has received numerous phone calls for additional cards as some of the agencies want to share this information with citizen groups.

Currently, the plan is to conduct four Homeland Defense Officer Training Schools and one Homeland Defense Officer Coordinator School. The pilot school will be conducted October 7-11, 2002, in Newport News. This locality was chosen because of the scheduled Aviation World's Fair to be held in April 2003 for which Chief Mook and the Newport News Police Department are coordinating security. Mr. Gotschalk noted that the course is of a design similar to the one conducted by the Roanoke City Police Department, which incorporated elements, such as military training with crime prevention and environmental design. The Roanoke City Police Department, Virginia State Police and the Department of Emergency Management will be offering instructors for the course.

Mr. Gotschalk added that the pilot course will give them the opportunity to make revisions, then future courses will be advertised statewide. Future course dates and locations are:

- November 18-22, 2002, at the Roanoke Police Academy.
- January 6-10, 2003, in Fredericksburg, and
- January 20-24, 2003, in Williamsburg.

The Homeland Defense Coordinator Course was developed so that every department would have an individual, other than the agency administrator, who has an awareness of how to respond in various terrorist or emergent situations. Mr. Gotschalk noted that during the conference of the Virginia Association of Chiefs of Police (VACP) it was noted that some of the agency administrators were out of town during the attack on the Pentagon on September 11, 2002. In this instance, the captain assumed control and managed the state of affairs. The Coordinator Course will alert these individuals to the resources available in the event of a future incident. Mr. Gotschalk added that Don Harrison is the consultant for this project, which is funded by a grant that expires in April.

Ms. Wakefield asked if the Private Security industry is being considered as one of the groups that is in need of this type of instruction as they are usually the first personnel on the scene and are also involved in crime prevention. Mr. Gotschalk responded that the Department has also had "First Responder" cards printed that has information identical to the Hazmat/Bio-Chem/Terrorist Incident cards that were issued to law enforcement. This is a generic card that will be used by the Department of Emergency Management and Fire Programs. He also mentioned that Leon Baker, Chief, DCJS Private Security Services, had asked about the cards during a staff meeting and is also aware of the cost of producing these cards. He noted that staff has also designed the prototype of another card that medical personnel will be using which is a bi-fold card that includes information on triage and protocols.

Mr. Hodnett asked which grant was funding the program. Mr. Gotschalk responded that left over funds from the Byrne Memorial/COJ Grant Program that funds the Secure Virginia Panel were secured for this program. Mr. Hodnett then asked what will happen when the grant runs out in April. Mr. Gotschalk responded that they will file a new grant application in December for an expanded program. The Department's main concern in response to September 11 was to get the information out to the thirty thousand (30,000) law enforcement officers in the state.

In-Service and Instructor Certification Rules

Chairman Maxey reminded the members that in the past Mr. Gotschalk had reported on his perception that there are serious needs within the in-service training rules and the instructor rules. He asked Mr. Gotschalk to advise the members of actions taken to

address these needs. Mr. Gotschalk mentioned that staff had written a draft of two sets of rules in order to make them less restrictive yet not lose sight of the rules' intent and was seeking input from the COT. He had consulted with other states regarding these issues, and representatives of the criminal justice community were asked to participate in the review process.

The initial meeting was held on August 22, 2002, with John Byrd as coordinator. The committee is comprised of individuals from the various organizations that are subject to the rules and are as follows:

- Chief Charles Bennett, Lynchburg Police Department and Chief James Yost, Williamsburg Police Department, representing the VACP,
- Sheriff Kermit Osborne, Wythe County Sheriff's Office, and Sheriff James Woodley, Brunswick County Sheriff's Office, representing the Virginia Sheriffs' Association (VSA),
- Vince Ferrara, Director, Hampton Roads Regional Criminal Justice Training Academy, and Lt. Mark Dodson, Virginia Beach Police Academy, representing the Virginia Training Directors Association,
- Captain Ken Paul, Virginia State Police, and Gerry Eggleston, Department of Corrections/Academy for Staff Development, representing the state agency academies, and
- Mr. John Isom, Superintendent, Albemarle-Charlottesville-Nelson Regional Jail, representing the Regional Jail Administrators Association.

During the meeting, the draft rules were reviewed and discussed, and a draft incorporating these changes was mailed to the committee members on September 3rd. Committee members have agreed to solicit feedback from their constituents in order to discuss the feedback in a meeting near the end of October.

Mr. Gotschalk mentioned that currently the rules allow DCJS to establish guidelines to approve job related electronically transmitted programs. This proposal would allow academy directors to approve these types of programs. He noted that they have researched programs in other states and took into consideration their concerns. He added that the officer population in Virginia has increased exponentially and this has placed a burden on the academies to provide in-service training. Mr. Gotschalk mentioned that there are various types of training available, and the Department wants to have some control over them while allowing individuals to get the training by whatever means.

Some of the issues and proposals are as follows:

Current Procedure	Proposals
<ul style="list-style-type: none">• Academies submit information about in-service training to field coordinators for approval.	<ul style="list-style-type: none">• Certified academies will not have to submit information to field coordinators for approval, but, under the direction of their boards, will be allowed to approve and conduct all in-service training.

	<ul style="list-style-type: none"> At the discretion of the board, the academy may approve in-service training to be conducted at member agencies.
<ul style="list-style-type: none"> Minimum requirement for a training session is four hours. 	<ul style="list-style-type: none"> Minimum requirement for training session will be <i>two hours</i>.
<ul style="list-style-type: none"> Instructors may not receive in-service credit for training they conduct. 	<ul style="list-style-type: none"> Instructors will be allowed to receive in-service credit for training they conduct. Instructors can only receive credit once for the same topic conducted multiple times within a two-year in-service cycle.
<ul style="list-style-type: none"> Apprenticeship for all types of instructors, except firearms, is a minimum of four hours. (Apprenticeship for firearms is eight hours – 4 hours classroom and 4 hours on the firing range.) 	<ul style="list-style-type: none"> Apprenticeship for all types of instructors will be a minimum of sixteen hours. (Rather than dictate the number of classroom and skill hours, the requirement would be to demonstrate proficiency in both.)
<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> The academy will be responsible for developing instructor re-certification criteria for its academy, providing the training in a timely manner, and maintaining documentation of completion of re-certification requirements.

Mr. Gotschalk added that the Committee on Training will receive a copy of the proposed rules from their representative on the Rules Committee. All comments and concerns received by the committee representative will be shared during another meeting of the Rules Committee at its October meeting. Once a consensus is reached, the Department will begin promulgating the rule changes through the Administrative Process Act (APA). Mr. Gotschalk noted that this process could take between twelve and fourteen months; however, new provisions in the Executive Order provides for the Department to move forward without a response if the executive offices do not respond in a timely manner. Mr. Gotschalk advised that they plan to provide the COT with more information regarding the status of these proposals at the December meeting.

Electronic Training/Distance Learning Report

Chairman Maxey informed the Committee that this item has been postponed until the December meeting due to conflicts with a meeting being conducted at Central Shenandoah Criminal Justice Academy at the request of the Office of the Governor.

New Business:

Budget Issues

Chairman Maxey reminded the members of the seriousness of the budget situation in state government. He then asked Mr. Gotschalk to discuss potential implications for the staff. Mr. Gotschalk informed that staff was asked to recommend budget cuts to each section in the amounts of seven percent, eleven percent and fifteen percent. He advised that their intention was to do as little damage as possible to the services and programs DCJS provides. However, the cuts being considered would have an impact on staff as well as their constituents.

For example, Mr. Gotschalk mentioned that if the Jails Training Unit was not to do in-service training and reduce tasks to its original functions, they could save over twenty thousand dollars (\$20,000) in expenditures and travel. He noted that this would also place the burden on the academies to do in-service training. He added that the fifteen percent proposals would include employee layoffs. These employees' functions will not be disposed of but will be re-routed to other staff. This will also mean that cuts will have to be made to some of the programs offered by DCJS.

Mr. Gotschalk informed that he met with the academy directors on September 20, 2002 and advised the regional academy directors that if they wanted to get some kind of idea on the impact these cuts would have on them, they should do a 7%, 11% and 15% reduction of their state funds included in their budgets. Each year, John Byrd sends out letters to the regional academies advising them of how much money is available in the General Funds and how much will be apportioned to them. Mr. Gotschalk noted that this year the letters were sent to the academies indicated what was in the Fund but could not tell them how much they would be getting.

The Governor asked for proposals to be submitted to the Office of the Secretary of Public Safety by September 20th. The Secretary would have their suggestions submitted to the Governor by October 1, 2002. Mr. Gotschalk mentioned that they do not anticipate hearing the final results of this round of budget cuts until some time in October. He emphasized that these cuts will eventually impact the localities, as the deeper the cuts the more services will be affected. He also noted the budget woes are already being felt by the sheriffs as they are experiencing cutbacks from the Compensation Board, as well.

Chairman Maxey asked what is the dollar amount of the reductions DCJS might be experiencing and what a 15% reduction in DCJS's budget might include. Mr. Gotschalk responded that in his budget proposal he included what the Code requires of staff and position that performs these duties in relation to the Code sections. Mr. Gotschalk added that he does not know what the final proposal that DCJS presented to the Secretary, but these cuts are in addition to what had already been done a few months ago. He noted that the smaller percentages of budget cuts included cutting out travel; larger percentages could include positions.

Ms. Wakefield asked that if the Private Security (PSS) appears to be self-funded, will they have to cut their budget as well. Mr. Gotschalk responded that according to the language passed by the General Assembly the General Fund and all other funds would be

affected. Therefore, the PSS also had to submit budget proposals. Ms. Wakefield then asked if the staff is already working with previous reductions made when the deficit was initially brought to light will they still have to make further reductions. Mr. Gotschalk responded that this would be the case.

Mr. Hodnett asked how these cuts would affect those agencies who receive federal grant funds. Mr. Gotschalk responded that this would affect the state match money of federal funds.

Dispatcher Curriculum Review Committee

Chairman Maxey introduced Judy Kirkendall, DCJS Job Task Analysis Administrator, to present the names of prospective members for the Dispatcher Curriculum Review Committee (CRC), after which the names will be voted upon by the COT.

Ms. Kirkendall informed the members that the Dispatcher CRC is made up of representatives from the regional and independent academies as well as the pool of experienced dispatchers. As was done with previous curriculum review committees, members are selected for one-year, two-year, and three-year terms, with three-year terms becoming standard after the first two rotations. This provides for continuity as some people are rotating off and new members are coming in. Geographic representation from across the state is also a key part of the committee.

Nominees and their agencies or the academies they are representing are as follows:

One- year terms (2003-2004):

- Susan Barbour, *Appomattox*, rep. Virginia State Police Academy,
- Director Bill Flink, *Weyers Cave*, rep. Central Shenandoah Criminal Justice Academy,
- Marian Bouldin, VCU Communications, *Richmond*, rep. Virginia Commonwealth University Police Academy, and
- Theresa Walker, Norfolk City Communications, *Norfolk*.

Two-year terms (2003-2005):

- Captain Mary Ellen Fahed, Henrico County Division of Police, *Richmond*, rep. Henrico County Police Academy
- Carol Kelly, *Salem*, rep. Cardinal Criminal Justice Academy,
- Lisa Hudson, Fredericksburg Communications, *Fredericksburg*, rep. Rappahannock Regional Criminal Justice Academy, and
- Calvin Stephens, Fairfax County Communications, *Fairfax*, rep. Fairfax County Public Safety Academy.

Three-year terms (2003-2006):

- Sarah Kendall, Dispatcher, Montgomery County Sheriff's Office, *Christiansburg*, rep. New River Criminal Justice Academy,

- Marietta Robinson, Supervisor, Alexandria Communications, *Alexandria*,
- Cathy Gough, Virginia Beach Communications, *Virginia Beach*, rep. Virginia Beach Police Academy, and
- Douglas Young, Manager, Danville Emergency Communications, *Danville*.

After presenting the names for prospective members of the Dispatcher CRC, Ms. Kirkendall asked for their approval.

Chairman Maxey then asked how these individuals were selected. Ms. Kirkendall responded that the rules required representation from regional academies, independent academies and experienced dispatchers. With this in mind, they then looked at geographic representation. She mentioned that she also called academies to discuss possible representatives. She noted some of these individuals also worked on the Dispatcher Job Task Analysis Advisory Committee and would help to provide continuity from the development of the current standards through any initial changes.

Chairman Maxey asked for a motion to approve the members of the Dispatcher CRC. Ms. Curtis made the motion, Dr. Malcan seconded, and the motion was carried unanimously. Ms. Kirkendall added that a public hearing on Calendar Year 2002 suggested changes to entry-level law enforcement training standards will be held during the December 2002 meeting of the COT.

Mandated Training for Field Training Officers

The Chairman mentioned that legislation is in place that provides for the Criminal Justice Services Board to establish training standards for field training officers. He noted that due to other issues, those needs have yet to be addressed. He introduced Elizabeth Mancano, DCJS Metro Richmond Field Services Representative, to discuss the plans of the Department to implement training for field training officers.

Ms. Mancano noted that field training for criminal justice personnel is one of the most difficult processes faced by field training officers. She added that in field training became more available in the 1960's and is offered through academies. The role of field training officers is to provide on the job training to criminal justice personnel by closing the gap between the academies and the actual duties of law enforcement. This is done by providing guidance and coaching to train the officers.

Mr. Mancano mentioned that they have solicited input from other agencies to develop this program. She added that in addition to support from the VSP, the other field services coordinators have agreed to serve on a committee to develop these standards. They have also asked the Department of Emergency Management to form a committee to work on preparing a curriculum for field training officers. Mr. Gotschalk has also solicited information from members of the International Association of Directors of Law Enforcement Standards and Training (IADLEST) to determine how other states handle field training. Ms. Mancano mentioned that after receiving feedback more information

will be presented to the COT in December for consideration.

Mr. Hodnett asked where do they envision this training to be conducted ultimately. Mr. Gotschalk responded that there is no mandate, and some of the academies have already developed field training programs that they are utilizing. Mr. Hodnett then asked how this would be affected by the budget issues. Ms. Mancano responded that the committee will discuss this and will take the budget situation into consideration. Mr. Gotschalk added that one of the issues that came out of JLARC report was that law enforcement needed standard training for field training. He advised that they are in various phases of developing a program for field training. He noted that with the use of an advisory committee and receiving input from the geographical regions of the state they can be assured a certain level of training that is standard for all.

Chief Gaskins asked if they are looking at other police departments who already have a field training program in place. Ms. Mancano responded that they want to look at programs that are already in place and build on them. Mr. Gotschalk added that although students do well in an academic setting, they sometimes falter in real life situations. He noted that staff is hoping to develop a program that closes the gap between the classroom and practice.

HB 1053 – Cultural Sensitivity /Bias-Based Policing

Chairman Maxey asked Mr. Gotschalk to discuss the efforts of the Department to address the training needs identified by House Bill 1053 concerning bias-based policing and cultural diversity training. Mr. Gotschalk mentioned that legislation supported by the VACP, VSA, and VSP was passed during last session of the General Assembly that requires that DCJS incorporate bias based policing and cultural sensitivity in entry-level and in-service law enforcement training. This legislation took effect on July 1, 2002. Although, in a sense, some of elements of this training was already in the minimum training standards for entry-level law enforcement, it was not actually specified. Ms. Kirkendall met with the CRC two weeks prior and they will be planning a public hearing relating to these changes.

Mr. Gotschalk added that VSP did a study and gave results to GA. The study indicated that bias based policing does not appear to be a problem systematically in Virginia. It acknowledges that there are individuals who practice bias based policing, and these issues will be discussed. He advised that if perception is reality and if there is a problem with bias based policing in Virginia, the Department hopes to handle it through training.

Mr. Gotschalk mentioned that they will not have to go through the APA because cultural diversity is incorporated in basic training due to the JTA revisions. They will, however, do a draft of requirements, receive feedback, and have a public hearing before the COT. He noted that this is being fast tracked to meet the legislative requirements and the desires of the Secretary of Public Safety to get a program in place. Once this procedure is done, the changes will be put in the Virginia Register and will become effective thirty (30) days later. He added that the Code also states that there should be a model policy

developed for state agencies.

Ms. Wakefield asked that in light of the growing Hispanic community would the cultural diversity training be addressing the language barrier. Ms. Kirkendall responded that, thus far, there is no thought of putting a second language requirement in the training. Their purpose is to make law enforcement officers become acutely aware of the cultures living in their jurisdictions. Ms. Kirkendall added that there are short courses available for officers who would like to learn a second language, but the training requirement is not to make knowing a second language mandatory. She noted that cultural diversity needs to be addressed specifically and more in depth in basic training, and they expect this to be handled via in-service training over the years for experienced officers.

Dr. Malcan asked how many hours were they anticipating for the training. Mr. Gotschalk responded that they will try to make an assessment of what is available through current training and assess what else should be included before determining the number of hours needed for training. Mr. Hodnett asked if there is a timetable to develop the training. Mr. Gotschalk responded that there is not timetable, yet the Secretary of Public Safety wants a training in place by July 1, 2003.

Next Meeting

Chairman Maxey asked if there was anyone in the audience that would like to address the COT concerning matters within its purview.

Adjournment

The Chairman then asked if there were any other comments or questions before the Committee. Hearing none, the chairman asked for a motion to adjourn the meeting. A motion was made and seconded, and the meeting was adjourned at 10:00 a.m.

Next Scheduled Meeting

The next scheduled meeting for the Committee on Training will be held on Thursday, December 12, 2002, at 9:00 a.m.

Respectfully submitted,

Thomas E. Nowlin
Recording Secretary

Approved:

The Honorable Robert E. Maxey, Jr.
Chairman

Date

Attachment(s)